

FORM PTO-1390 (REV. 02-2005)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 40072-0022	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/538,466	
INTERNATIONAL APPLICATION NO. PCT/JP03/16036		INTERNATIONAL FILING DATE December 15, 2003		PRIORITY DATE CLAIMED December 13, 2002	
TITLE OF INVENTION INTERMEDIATES OF 2-SUBSTITUTED CARBAPENEM DERIVATIVES AND PROCESS FOR PRODUCTION THEREOF					
APPLICANT(S) FOR DO/EO/US Toshiro SASAKI; Takashi ANDO; Yasuo YAMAMOTO; Takahiro IMAI; Dai KUBOTA; Katsuhiko NOGUCHI; Nobuyuki HORI; Eiki SHITARA; Kunio ATSUMI; Shohei YASUDA					
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected (Article 31). <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> had been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20. below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included <input type="checkbox"/> A preliminary amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825 <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4) <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: Response to Notification to Comply; copy of Notice (dated 8/3/06) 					

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.7) 10/538,466		INTERNATIONAL APPLICATION NO. PCT/JP03/16036		ATTORNEY'S DOCKET NUMBER 40072-0022	
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21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee\$200.00 <input type="checkbox"/> c) Search fee.....\$500.00 <div style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</div>				CALCULATIONS PTO USE ONLY <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: right;">\$</td> <td style="width:50%;"></td> </tr> </table>		\$	
\$							
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.							
TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE				
-100 =	50 =		x \$250.00				
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims	- 20 =	0	x \$50.00	\$			
Independent claims	- 3 =	0	x \$200.0	\$			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.0				
TOTAL OF ABOVE CALCULATIONS =				\$			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							
SUBTOTAL =				\$			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+			
TOTAL NATIONAL FEE =				\$			
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property							
TOTAL FEES ENCLOSED =				\$0 fees due			
				Amount to be refunded:	\$		
				Amount to be charged:	\$		

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment To Deposit Account No. 08-1641 A duplicate coy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

HELLER EHRMAN LLP
 1717 Rhode Island Avenue, N.W.
 Washington, D.C. 20036
 Customer No.: 26633

SIGNATURE
 Patricia D. Granados
 NAME
 REGISTRATION NO.: 33,683

Date
September 6, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,466	Toshiro Sasaki	40072-0022

INTERNATIONAL APPLICATION NO.

PCT/JP03/16036

I.A. FILING DATE

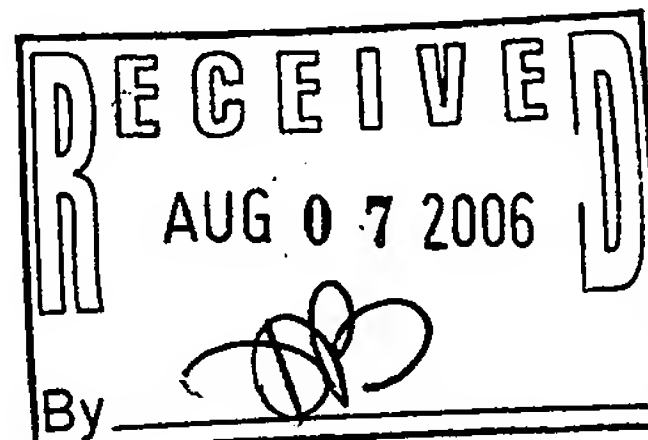
12/15/2003

PRIORITY DATE

12/13/2002

26633

HELLER EHRMAN WHITE & MCAULIFFE LLP
 1717 RHODE ISLAND AVE, NW
 WASHINGTON, DC 20036-3001



CONFIRMATION NO. 5434

371 FORMALITIES LETTER



OC000000019868514

Date Mailed: 08/03/2006

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.

- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,466	PCT/JP03/16036	40072-0022

FORM PCT/DO/EO/922 (371 Formalities Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,466	Toshiro Sasaki	40072-0022

INTERNATIONAL APPLICATION NO.

PCT/JP03/16036

I.A. FILING DATE

PRIORITY DATE

12/15/2003

12/13/2002

26633

HELLER EHRMAN WHITE & MCAULIFFE LLP
 1717 RHODE ISLAND AVE, NW
 WASHINGTON, DC 20036-3001

CONFIRMATION NO. 5434

371 WITHDRAWAL NOTICE



OC000000019603746

Date Mailed: 08/03/2006

WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Acceptance Notice mailed on 07/13/2006 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the enclosed Notice. We apologize for any inconvenience this caused.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No: 40072-0022

Applicant(s) Toshiro SASAKI et al.

Confirmation No. 5434

Appl. No.: 10/538,466

Examiner: Unassigned

Filing Date: June 10, 2005

Art Unit: Unassigned

Title: INTERMEDIATES OF 2-SUBSTITUTED CARBAPENEM DERIVATIVES
AND PROCESS FOR PRODUCTION THEREOF

RESPONSE TO NOTIFICATION TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: SEQUENCE LISTING

Sir:

This communication responds to the Notification to Comply With Requirements for Patent Applications Containing Nucleotide And/Or Amino Acid Sequence Disclosures mailed August 3, 2006, for the above-captioned application. Applicants respectfully submit that this application does not contain a nucleotide or amino acid sequence and therefore no sequence listing is required. Applicants believe no filing fees are due at this time, however, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Respectfully submitted,

9/6/06

Date

Patricia D. Granados

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1717 Rhode Island Avenue, NW
Washington, DC 20036
Phone: 202-912-2000
Fax: 202-912-2020

Patricia D. Granados
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Attorney for Applicant

Customer No. 26633